

**AN ORDINANCE BY:
COUNCILMEMBER ANNE FAUVER**

04-○-1364

**AN ORDINANCE TO AMEND CERTAIN SECTIONS OF
CHAPTER 10 OF THE CITY OF ATLANTA CODE OF
ORDINANCES FOR THE PURPOSE OF MODIFYING THE
PARKING REQUIREMENTS ASSOCIATED WITH THE
LICENSING OF ESTABLISHMENTS FOR THE ON PREMISES
CONSUMPTION OF DISTILLED SPIRITS; AND FOR OTHER
PURPOSES.**

WHEREAS, the Alcohol Technical Advisory Group was asked to review certain provisions of Chapter 10 of the City of Atlanta Code of Ordinances which regulates the sale of alcoholic beverages and to produce recommendations; and

WHEREAS, the Alcohol Technical Advisory Group has reviewed the ordinances related to parking for establishments which are licensed for the sale of distilled spirits for on premises consumption; and

WHEREAS, the Alcohol Technical Advisory Group has also reviewed the parking requirements which apply to eating and drinking establishments as set forth in the Zoning Code; and

WHEREAS, the Alcohol Technical Advisory Group believes that the two sets of parking requirements can be consolidated without any deleterious effects on the public health, safety and welfare; and

WHEREAS, the Alcohol Technical Advisory Group has found that the regulatory purposes related to these parking requirements can be best served by having most of the parking regulations appear only in the Zoning Code; and

WHEREAS, the Alcohol Technical Advisory Group has presented ordinances to both the Public Safety and Legal Administration Committee and the Zoning Committee to accomplish this consolidation.

**NOW THEREFORE THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS as follows:**

Section 1. That Section 10-1 of the City of Atlanta Code of Ordinances is amended by repealing the present definition of *adequate parking* which reads as follows:

Adequate parking means one parking space for each 50 square feet of customer service area within the premises of the applicant:

and inserting in its place the following definition of adequate parking:

Adequate parking means parking that meets the requirements of the Code of Ordinances or an approved parking plan associated with the applications for the following: temporary permits for special events; temporary permits for nonprofit civic organizations; approved outdoor festivals.

Section 2. That Section 10-57 (3) of the City of Atlanta Code of Ordinances is amended by repealing the present subsection concerning grounds for denial with respect to adequate parking which reads as follows:

(3) The application does not furnish evidence of adequate parking facilities available to the applicant's patrons and within 400 feet of the proposed location.

and inserting in its place the following language:

(3) The application does not furnish evidence of adequate parking as defined in this chapter.

Section 3. That Section 10-126 of the City of Atlanta Code of Ordinances concerning the issuance of temporary permits for special events is amended by addition of the following subsection to the present text of the ordinance as follows:

(c) All permits issued pursuant to this section shall be required to include a traffic plan which specifically describes the parking arrangements and which shall be approved by the police department.

Section 4. That Section 10-126.2 of the City of Atlanta Code of Ordinances concerning the issuance of temporary permits for traveling companies providing public entertainment is amended by addition of the following subsection to the present text of the ordinance as follows:

(c) The applicant must provide a traffic plan, which specifically describes the parking arrangements, and a security plan, and said plan must be approved by the police department.

Section 5. That Section 10-127 of the City of Atlanta Code of Ordinances concerning the issuance of temporary permits for nonprofit civic organizations is amended by addition of the following subsection to the present text of the ordinance as follows:

(d) All permits issued pursuant to this section shall be required to include a traffic plan which specifically describes the parking arrangements and which shall be approved by the police department.

Section 6. That Section 10-128 of the City of Atlanta Code of Ordinances concerning the issuance of temporary permits for approved outdoor festivals is amended by addition of the following subsection to the present text of the ordinance as follows:

(c) All permits issued pursuant to this section shall be required to include a traffic plan which specifically describes the parking arrangements and which shall be approved by the police department.

Section 7. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.